

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

UNITED STATES OF AMERICA

v.

JEFFREY RICHARD

No. 2:21-cr-00150-JAW

**JOINT MOTION TO EXTEND TIME FOR SENTENCING**

The United States of America and Jeffrey Richard, by and through their attorneys, respectfully move to extend the time for the defendant's sentencing.

The defendant pleaded guilty on July 17, 2023. Following the customary presentence investigation process, U.S. Probation issued a Revised Presentence Investigation Report, and a presentence conference was held on October 23. At the conference, the parties jointly requested that the Court schedule the defendant's sentencing to a date roughly six months in the future. The parties made this request because the defendant seeks to make additional restitution payments prior to sentencing, and extending the time for the sentencing hearing will provide additional time for such payments. Permitting the defendant more time to pay toward his restitution obligation will benefit the defendant and further the goal of making the government whole.

Rule 32(b)(1) of the Federal Rules of Criminal Procedure provides that "[t]he court must impose sentence without unnecessary delay." However, Rule 32(b)(2) provides that a court may, for "good cause," change any time limits prescribed in the rule. The Speedy Trial Clause of the Sixth Amendment does not apply to delayed sentencing, but inordinate delays in sentencing could implicate the Due Process Clause. *Betterman v. Montana*, 578 U.S. 437, 439, 447–48 (2016). The parties submit that for

the reasons discussed above, good cause exists to extend the date for the sentencing hearing in this case for approximately six months. To the extent the defendant, or the government, has a right to a speedy sentencing, both parties waive this right for the duration of the requested extension.

For the reasons stated above, the parties respectfully request that the Court schedule sentencing on a date convenient to the Court approximately six months in the future.

Respectfully submitted,

/s/ Craig M. Wolff  
Craig M. Wolff  
Assistant U.S. Attorney

/s/ Richard S. Berne  
Attorney for Jeffrey Richard

/s/ Peter M. Rodway  
Attorney for Jeffrey Richard

Dated: October 27, 2023

**CERTIFICATE OF SERVICE**

I hereby certify that on October 27, 2023, I electronically filed this **Joint Motion to Extend Time for Sentencing** with the Clerk of Court using the CM/ECF system, which will send notification to the following:

**Richard S. Berne, Esq.**  
**berne@bernelawme.com**

**Peter E. Rodway, Esq.**  
**peter@rodwaylaw.com**

DARCIE N. McELWEE  
UNITED STATES ATTORNEY

/s/ Craig M. Wolff  
Assistant United States Attorney  
United States Attorney's Office  
100 Middle Street  
Portland, Maine 04101  
(207) 780-3257  
craig.wolff@usdoj.gov